

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

1.-6. Canceled.

7. (Currently Amended) A microorganism comprising an *Escherichia coli*-derived NADH-dependent D-lactate dehydrogenase (ldhA) gene ~~in which activity of~~ wherein said microorganism's FAD-dependent D-lactate dehydrogenase (dld) ~~inherent in the microorganism activity~~ is inactivated or decreased, ~~activity of~~ wherein said microorganism's pyruvate formate-lyase (pfl) inherent in the microorganism activity is inactivated or decreased, and wherein said microorganism's activity of an NADH-dependent D-lactate dehydrogenase (ldhA) ~~obtained from *Escherichia coli* and inherent in the microorganism activity~~ is enhanced.

8.-14. Canceled.

15. (Currently Amended) ~~[[A]] The microorganism according to claim 7, wherein activity of pyruvate formate lyase (pfl) inherent in the microorganism is inactivated or decreased, and activity of FAD-dependent D-lactate dehydrogenase (dld) inherent in the microorganism is inactivated or decreased, and wherein a gene encoding an NADH-dependent D-lactate dehydrogenase (ldhA) obtained from *Escherichia coli* wherein said ldhA gene expresses the NADH-dependent D-lactate dehydrogenase (ldhA) on the genome of the microorganism by using a promoter of a gene which controls expression of a protein involved in a glycolytic pathway, a nucleic acid biosynthesis pathway, or an amino acid biosynthesis pathway.~~
16. (Original) The microorganism according to claim 15, wherein the microorganism is *Escherichia coli*.
17. Canceled.

18. (Currently Amended) The microorganism of claim 15, wherein said
microorganism is *Escherichia coli*, wherein activity of pyruvate formate-lyase (pfl)
inherent in the *Escherichia coli* is inactivated or decreased, and activity of FAD-
dependent D-lactate dehydrogenase (ldd) inherent in the *Escherichia coli* is
inactivated or decreased, and which expresses an NADH-dependent D-lactate
dehydrogenase (ldhA) obtained from *Escherichia coli* on the genome of
Escherichia coli by and wherein said ldhA is expressed using a promoter of a
gene obtained from *Escherichia coli* which controls expression of a protein
involved in a glycolytic pathway, a nucleic acid biosynthesis pathway, or an
amino acid biosynthesis pathway, instead of using a promoter of a gene
encoding the NADH-dependent D-lactate dehydrogenase (ldhA) obtained from
Escherichia coli.
19. (Currently Amended) The *Escherichia coli* according to claim 18, wherein [[the]]
said promoter of the *Escherichia coli* gene, which that controls expression of the
protein involved in the glycolytic pathway, the nucleic acid biosynthesis pathway,
or the amino acid biosynthesis pathway[[,]] is a promoter of a glyceraldehyde-3-
phosphate dehydrogenase a glyceraldehyde-3-phosphate dehydrogenase gene
obtained from *Escherichia coli*.

20-40. Canceled.

41. (Currently Amended) The microorganism according to claim 7, wherein said microorganism's at least one of activity of malate dehydrogenase (mdh) inherent in the microorganism and activity [[of]] is inactivated or decreased and/or said microorganism's aspartate ammonia-lyase (aspA) inherent activity in the microorganism are is inactivated or decreased.
42. (Previously Presented) The microorganism according to claim 7, wherein the microorganism is a bacteria.
43. (Previously Presented) The microorganism according to claim 41, wherein the microorganism is a bacteria.
44. (Previously Presented) The microorganism according to claim 42, wherein the bacteria is *Escherichia coli*.
45. (Previously Presented) The microorganism according to claim 43, wherein the bacteria is *Escherichia coli*.
46. (Withdrawn) A method for producing D-lactic acid, which comprises culturing the microorganism according to claim 7 in a liquid medium, wherein D-lactic acid is produced, accumulated, and isolated from the liquid medium.

47. (Withdrawn) A method for producing D-lactic acid, which comprises culturing the microorganism according to claim 41 in a liquid medium, wherein D-lactic acid is produced, accumulated, and isolated from the liquid medium.
48. (Withdrawn) A method for producing D-lactic acid, which comprises culturing the microorganism according to claim 42 in a liquid medium, wherein D-lactic acid is produced, accumulated, and isolated from the liquid medium.
49. (Withdrawn) A method for producing D-lactic acid, which comprises culturing the microorganism according to claim 43 in a liquid medium, wherein D-lactic acid is produced, accumulated, and isolated from the liquid medium.
50. (Withdrawn) A method for producing D-lactic acid, which comprises culturing the microorganism according to claim 44 in a liquid medium, wherein D-lactic acid is produced, accumulated, and isolated from the liquid medium.
51. (Withdrawn) A method for producing D-lactic acid, which comprises culturing the microorganism according to claim 45 in a liquid medium, wherein D-lactic acid is produced, accumulated, and isolated from the liquid medium.
52. (Withdrawn) The method for producing D-lactic acid according to claim 46, wherein culture is carried out on a medium to which two or more kinds of amino acids are added.

53. (Withdrawn) The method for producing D-lactic acid according to claim 47, wherein culture is carried out on a medium to which two or more kinds of amino acids are added.
54. (Withdrawn) The method for producing D-lactic acid according to claim 48, wherein culture is carried out on a medium to which two or more kinds of amino acids are added.
55. (Withdrawn) The method for producing D-lactic acid according to claim 49, wherein culture is carried out on a medium to which two or more kinds of amino acids are added.
56. (Withdrawn) The method for producing D-lactic acid according to claim 50, wherein culture is carried out on a medium to which two or more kinds of amino acids are added.
57. (Withdrawn) The method for producing D-lactic acid according to claim 51, wherein culture is carried out on a medium to which two or more kinds of amino acids are added.
58. (Withdrawn) The method for producing lactic acid according to claim 46, wherein culture is carried out under aerobic conditions.

59. (Withdrawn) The method for producing lactic acid according to claim 47, wherein culture is carried out under aerobic conditions.
60. (Withdrawn) The method for producing lactic acid according to claim 48, wherein culture is carried out under aerobic conditions.
61. (Withdrawn) The method for producing lactic acid according to claim 49, wherein culture is carried out under aerobic conditions.
62. (Withdrawn) The method for producing lactic acid according to claim 50, wherein culture is carried out under aerobic conditions.
63. (Withdrawn) The method for producing lactic acid according to claim 51, wherein culture is carried out under aerobic conditions.
64. (Withdrawn) The method for producing lactic acid according to claim 58, wherein the aerobic conditions enable supply of oxygen which satisfies a requirement of an oxygen-transfer coefficient K_{La} of not less than 1 h^{-1} and not more than 400 h^{-1} at normal pressure using water at a temperature of 30°C .

65. (Withdrawn) The method for producing lactic acid according to claim 59, wherein the aerobic conditions enable supply of oxygen which satisfies a requirement of an oxygen-transfer coefficient K_{La} of not less than 1 h^{-1} and not more than 400 h^{-1} at normal pressure using water at a temperature of 30°C .
66. (Withdrawn) The method for producing lactic acid according to claim 60, wherein the aerobic conditions enable supply of oxygen which satisfies a requirement of an oxygen-transfer coefficient K_{La} of not less than 1 h^{-1} and not more than 400 h^{-1} at normal pressure using water at a temperature of 30°C .
67. (Withdrawn) The method for producing lactic acid according to claim 61, wherein the aerobic conditions enable supply of oxygen which satisfies a requirement of an oxygen-transfer coefficient K_{La} of not less than 1 h^{-1} and not more than 400 h^{-1} at normal pressure using water at a temperature of 30°C .
68. (Withdrawn) The method for producing lactic acid according to claim 62, wherein the aerobic conditions enable supply of oxygen which satisfies a requirement of an oxygen-transfer coefficient K_{La} of not less than 1 h^{-1} and not more than 400 h^{-1} at normal pressure using water at a temperature of 30°C .

69. (Withdrawn) The method for producing lactic acid according to claim 63, wherein the aerobic conditions enable supply of oxygen which satisfies a requirement of an oxygen-transfer coefficient K_{La} of not less than 1 h^{-1} and not more than 400 h^{-1} at normal pressure using water at a temperature of 30°C .
70. (Withdrawn) The method for producing lactic acid according to claim 46, wherein the culture pH is 6 to 8.
71. (Withdrawn) The method for producing lactic acid according to claim 47, wherein the culture pH is 6 to 8.
72. (Withdrawn) The method for producing lactic acid according to claim 48, wherein the culture pH is 6 to 8.
73. (Withdrawn) The method for producing lactic acid according to claim 49, wherein the culture pH is 6 to 8.
74. (Withdrawn) The method for producing lactic acid according to claim 50, wherein the culture pH is 6 to 8.
75. (Withdrawn) The method for producing lactic acid according to claim 51, wherein the culture pH is 6 to 8.